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Attorneys for Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BRUCE GREENFIELD and JOHNNY
 TRUJILLO, individually and on behalf of all
 those similarly situated,

Plaintiffs,

v.

PROGRESSIVE ADVANCED INSURANCE
 COMPANY, PROGRESSIVE CASUALTY
 INSURANCE COMPANY, PROGRESSIVE
 CLASSIC INSURANCE COMPANY,
 PROGRESSIVE COMMERCIAL
 CASUALTY COMPANY, PROGRESSIVE
 DIRECT INSURANCE COMPANY,
 PROGRESSIVE MAX INSURANCE
 COMPANY, PROGRESSIVE NORTHERN
 INSURANCE COMPANY, PROGRESSIVE
 NORTHWESTERN INSURANCE
 COMPANY, PROGRESSIVE PREFERRED
 INSURANCE COMPANY, PROGRESSIVE
 SPECIALTY INSURANCE COMPANY,
 DOES 1 through 10,

Defendants.

Case No. 2:21-cv-00571 -KJD-DJA

**STIPULATION AND ORDER
 REGARDING WAIVER OF
 SERVICE, EXTENSION OF TIME TO
 RESPOND TO COMPLAINT, AND
 STAY OF DISCOVERY**

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1 Plaintiffs Bruce Greenfield and Johnny Trujillo (“Plaintiffs”) and Defendants Progressive
2 Advanced Insurance Company, Progressive Casualty Insurance Company, Progressive Classic
3 Insurance Company, Progressive Commercial Casualty Company, Progressive Direct Insurance
4 Company, Progressive Max Insurance Company, Progressive Northern Insurance Company,
5 Progressive Northwestern Insurance Company, Progressive Preferred Insurance Company, and
6 Progressive Specialty Insurance Company (collectively, “Progressive” or “Defendants”) stipulate
7 and agree as follows:

8 1. Plaintiffs commenced this action against Progressive in the District Court of Clark
9 County, Nevada by filing the Complaint on or about February 23, 2021.

10 2. Progressive removed this action to this Court on April 7, 2021. Progressive was
11 not served with the Summons and Complaint prior to removal.

12 3. Counsel for the parties held a meet and confer by telephone on April 9, 2021 to
13 discuss service of the Complaint, Progressive’s anticipated response date, and discovery issues.

14 4. Pursuant to Fed. R. Civ. P. 4(d), Progressive hereby waives service, by and
15 through its counsel, of the Summons and Complaint. This waiver shall not operate to waive,
16 release, compromise, or prejudice any rights, defenses, objections, arguments, or claims
17 Progressive may have to the lawsuit.

18 5. Progressive shall file its motion to dismiss the Complaint on or before May 28,
19 2021.

20 6. Plaintiffs’ opposition to the motion to dismiss shall be due on or before June 28,
21 2021.

22 7. Progressive’s reply in support of the motion to dismiss shall be due on or before
23 July 19, 2021.

24 8. Pending resolution of Progressive’s forthcoming motion, the parties agree and
25 stipulate to a stay of discovery including, but not limited to, any discovery obligations set forth in
26 Fed. R. Civ. P. 26 and LR 26-1, in order to preserve judicial and party resources.

27 9. If the Court denies Progressive’s forthcoming motion, in whole or in part, the
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1 parties agree to submit a discovery plan and scheduling order within 30 days after entry of the
2 Court's order on the motion.

3 10. The parties respectfully suggest that good cause exists to enter the above-noted
4 briefing schedule and to enter the parties' stipulated stay of discovery.

5 11. The parties represent that this stipulation is sought in good faith, is not interposed
6 for delay, and is not filed for an improper purpose.

7 DATED: April 14, 2021.

DATED: April 14, 2021.

8 WEINBERG, WHEELER, HUDGINS,
9 GUNN & DIAL, LLC

MATTHEW L. SHARP, LTD.

10 /s/ Ryan T. Gormley
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/s/ Matthew L. Sharp
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Attorneys for Plaintiffs

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19 IT IS SO ORDERED.

20 
21 _____
22 Hon. Daniel Albregts
23 United States Magistrate Judge

24 DATED: April 15, 2021
25 _____
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